STERN SHAPIRO WEISSBERG & GARIN LLP
attorneys at law

Max D. Stern
Jonathan Shapiro
Lynn G. Weissberg
Patricia Garin
Martin E. Levin
Nora J. Chorover
Jeffrey P. Wiesner
Paul S. Sennott
Kathryn Beaumont
John Cushman

Of Counsel
John Taylor Williams
David L. Kelston

January 13, 2014

BY CERTIFIED MAIL

Alan W. Kazanjian
(President and Registered Agent)
Kazanjian Used Parts Inc.
651 Dutton Street
Lowell, MA 01852
Certified Mail # 7011 1150 0000 0300 4360

Alan W. Kazanjian
(President and Registered Agent)
Kazanjian Used Parts Inc.
129 Westview Road
Lowell, MA 01851
Certified Mail # 7011 150 0000 0300 4377

Re: 60-Day Notice of Violations and Intent to File Suit Regarding Noncompliance with Federal Clean Water Act's Industrial Stormwater Discharge Requirements: 657 Dutton Street, Lowell MA

Dear Mr. Kazanjian:

This office represents Clean Water Action, a national non-profit citizens' organization working for prevention of pollution in the nation's waters, protection of natural resources, creation of environmentally-safe jobs and businesses, and empowerment of people to make democracy work. Clean Water Action has over one million members nationally, more than 50,000 of whom reside in Massachusetts.

Kazanjian Used Parts Inc. ("Kazanjian") submitted a Notice of Intent ("NOI") to be covered by EPA's reissued Multi-Sector General General Permit for Stormwater Discharges Associated with Industrial Activity ("General Permit") on January 29, 2009.[1] The company has violated and continues to violate the permit's terms and conditions.

[1] The General Permit was first issued in 1995 and was reissued in 2000 and 2008. 60 Fed. Reg. 50804 (Sept. 29, 1995); 65 Fed. Reg. 64746 (Oct. 30, 2000); 73 Fed. Reg. 56572 (Sept. 29, 2008). The General Permit expired on September 29, 2013, but has been administratively continued by its own terms. See General Permit, pg. 9.

90 Canal Street Boston, MA 02114-2022
617-742-5800 Fax: 617-742-5858 E-Mail: sswg@sswg.com

We write to give notice that Clean Water Action intends to file a civil action in the United States District Court for the District of Massachusetts under section 505 of the Federal Clean Water Act (the "Act") against Kazanjian Used Auto Parts (jointly "Kazanjian"). The subject of the action will be Kazanjian's unlawful discharge of stormwater from its automobile salvage yards facility at 657 Dutton Street, Lowell (the "Facility"). Stormwater runoff from the Facility is discharged into the Pawtucket Canal, which is connected to the Merrimack River.

BACKGROUND

Activities that take place at industrial facilities, such as material handling and storage, are often exposed to the weather. As runoff from rain or snowmelt comes into contact with these materials, it picks up pollutants and transports them to nearby rivers, lakes, or coastal waters and tributaries thereto, including but not limited to storm sewer systems, wetlands, and other surface waters. Stormwater pollution is a significant source of water quality problems for the nation's waters.

The following are *some* of the activities, pollutant sources and pollutants that may be present with Kazanjian's automobile salvage yards processes:

Activity	**Pollutant Source**	**Pollutant**
Vehicle Dismantling	Oil, anti-freeze, batteries, gasoline, diesel fuel, hydraulic fluids, electrical switches	Oil and grease, ethylene glycol, heavy metals, mercury
Used Parts Storage	Batteries, chrome bumpers, wheel balance weights, tires, rims, filters, radiators, catalytic converters, engine blocks, hub caps, doors, drivelines, galvanized metals, mufflers	Sulfuric acid, galvanized metals, oil and grease, heavy metals, petroleum hydrocarbons, total suspended solids (TSS)

Outdoor Vehicle and Equipment Storage	Leaking engines, chipping/corroding bumpers, chipping paint, galvanized metal	Oil and grease, arsenic, organics, heavy metals, total suspended solids (TSS)
Vehicle and Equipment Maintenance	Parts cleaning	Chlorinated solvents, oil and grease, heavy metals, acid/alkaline wastes
	Waste disposal of greasy rags, oil filters, air filters, batteries, hydraulic fluids, transmission fluids, radiator fluids, degreasers	Oil, heavy metals, chlorinated solvents, acid/alkaline wastes oil, heavy metals, chlorinated solvents, acid/alkaline wastes, ethylene glycol
	Spills of oil, degreasers, hydraulic fluids, transmission fluid, and radiator fluids	Oil, arsenic, heavy metals, organics, chlorinated solvents, ethylene glycol
	Fluids replacement, including oil, hydraulic fluids, transmission fluid, and radiator fluids	Oil, arsenic, heavy metals, organics, chlorinated solvents, ethylene glycol
Vehicle, Equipment, and Parts Washing Areas	Washing and steam cleaning waters	Oil and grease, detergents, heavy metals, chlorinated solvents, phosphorus, salts, suspended solids
Liquid Storage in Above Ground Storage Tanks	External corrosion and structural failure, Installation problems, Spills and overfills due to operator error	Fuel, oil and grease, heavy metals, materials being stored
Illicit Connection to Storm Sewer	Sanitary water	Bacteria, biochemical oxygen demand (BOD), suspended solids
	Floor drains	Oil and grease, heavy metals, chlorinated solvents, fuel, ethylene glycol
	Vehicle washwaters	Oil and grease, detergents, metals, chlorinated solvents, phosphorus, suspended solids
	Radiator flushing wastewater	Ethylene glycol
	Leaking underground storage tanks	Materials stored or previously stored

Clean Water Action will ask the Court to ensure Kazanjian's future compliance with the Act, assess civil penalties in an appropriate amount,[2] award plaintiff its litigation costs, including attorney and expert fees, and award any other relief the Court deems appropriate. Clean Water Action's complaint will be filed a minimum of 60 days after the postmark date of this letter. This is a formal 60-day notice of intent to sue that is being served pursuant to 40 C.F.R., Part 135.

This notice is being provided by:

Cindy Luppi, New England Regional Co-Director
Clean Water Action
262 Washington Street, Suite 301
Boston, MA 02108
(617) 338-8131
(617) 335-6449 (fax)

Counsel for Clean Water Action in this case is:
Nora J. Chorover
Stern, Shapiro, Weissberg & Garin, LLP
90 Canal Street, Suite 500
Boston, MA 02114
(617) 742-5800
(617) 742-5858 (fax)

---

[2] The Act authorizes the Court to assess a penalty of up to $32,500 a day for each violation up to or including January 12, 2009, *see* 33 U.S.C. § 1319(d), 69 Fed. Reg. 7121 (Feb. 13, 2004), and $37,500 per day of violation for violations after that date. *See* 73 Fed. Reg. 75340 (Dec. 11, 2008).

KAZANJIAN'S VIOLATIONS AND DATES OF VIOLATIONS

Kazanjian's violations are described below and are also set forth on a Table attached as Exhibit A hereto.[3] The Complaint, when filed, will set forth additional days of violations that occur between the date of this letter and the date on which the Complaint is filed.

A. VIOLATIONS OF THE TERMS OF THE GENERAL PERMIT.

The company has violated the permit's terms, as follows:

1. Failure to Comply with the Permit's Monitoring Requirements

Kazanjian is required to monitor its discharges in accordance with the specific provisions of section 6 of the General Permit (pgs. 33-40) and Appendix B, section B. This includes monitoring for benchmark parameters applicable to automobile salvage years. General Permit, section 8.M.5. Kazanjian was required to monitor for the presence of pollutants in its stormwater discharges for each quarter commencing with the April 1, 2009, to June 30, 2009, quarter. Quarterly monitoring is required to continue until four consecutive quarterly samples show that the company's discharges are below EPA benchmark levels.[4] In addition, the General Permit states that facilities discharging into an impaired water (or into a municipal storm sewer system that discharges to an impaired water) "must monitor for all pollutants for which the waerbody is impaired and for which a standard analytical method exists." The Pawtuxet Canal is impaired for aquatic life due to, among other things, lead and mercury in fish tissue. Kazanjian should have conducted annual monitoring of relevant impairment parameters at each of its outfalls by, at the latest, February 28, 2010. Kazanjian failed to comply with these benchmark and impairment parameter monitoring requirements. To the extent additional monitoring violations become known to Clean Water Action before the action is filed, the complaint will seek remedy for such additional monitoring violations. To the extent additional monitoring violations are learned

---

[3] Clean Water Action believes that violations have occurred on the dates identified in this letter and on Exhibit A, and not just on rain days. However, to the extent it is determined that rain days are relevant in determining the dates of violations, such rain dates through January 6, 2014 are set forth on Exhibit B hereto. The complaint, when filed, will set forth additional rain dates since that date.

[4] Specifically, Kazanjian was required to monitor for Total Suspended Solids, Total Aluminum, Total Iron and Total Lead. See General Permit, section 8.M.5.

through discovery in the action, the complaint will be amended to seek remedy for such additional monitoring violations.[5]

2. Failure to Comply with the Permit's Reporting Requirements.

Kazanjian is required to report certain information to EPA and the Massachusetts Department of Environmental Protection ("Mass DEP") regarding its stormwater discharges in accordance with the provisions of section 7 of the Permit. Among other things, Kazanjian must submit quarterly benchmark monitoring data to EPA. See General Permit, section 7.1.[6] Kazanjian was also required to submit its impairment pollutant reports to EPA. Benchmark and impairment pollutant monitoring reports were to have been filed with EPA 30 days following receipt of monitoring results. Kazanjian failed to comply with these reporting requirements, as set forth on Exhibit A.

Kazanjian is also required to prepare and submit to EPA annual reports that include findings from its annual comprehensive site inspections and documentation of corrective actions. See General Permit, section 7.2. Kazanjian failed to comply with this requirement, as set forth on Exhibit A.

To the extent additional reporting violations become known to Clean Water Action before the action is filed, the complaint will seek remedy for such additional reporting violations. To the extent additional reporting violations are learned through discovery in the action, the complaint will be amended to seek remedy for such additional reporting violations.[7]

---

[5] Additional discovered monitoring violations may include, without limitation: failure to ensure representative sampling (General Permit, App. B, section B(1)(A), pg. B-5); failure to monitor from all facility outfalls (id., section 6.1.1, pg. 33); failure to monitor during a measurable storm event following the preceding storm by at least 3 days (id., section 6.1.3, pg. 33); failure to conduct monitoring in accordance with test procedures approved under 40 CFR Part 136 (id., App. B, section B(10), pg. B-6); or failure to sample within the first 30 minutes of a measurable storm event (id., section 6.1.4, pg. 34).

[6] If the data contains any exceedences of benchmarks, it must also be submitted to Mass DEP. See General Permit, Section 9.1.2.4.

[7] Additional discovered reporting violations may include, without limitation, failure to submit all reporting data to EPA no later than 30 days after receipt of laboratory results (General Permit, section 7.1).

3. Failure to Ensure That Control Measures Minimize Pollutant Discharges

The General Permit requires Kazanjian to ensure that its control measures minimize its stormwater pollutant discharges. General Permit, section 2.0 (pg. 12).[8] The company must modify its control measures as expeditiously as practicable whenever it finds that they "are not achieving their intended effect of minimizing pollutant discharges." Id., section 2.1. Because the company has not been regularly monitoring its pollutant discharges as required by the permit, it cannot know how its existing control measures are performing and therefore cannot have been modifying them as necessary to minimize stormwater pollutant discharges.

This Notice Letter alleges that Kazanjian failed to implement adequate control measures based on information presently available to Clean Water Action. If additional information regarding this violation becomes known to Clean Water Action in the future, the complaint may set forth some or all of such additional information.

CONCLUSION

Clean Water Action believes this Notice of Violations and Intent to File Suit sufficiently states the basis for a civil action. During the 60-day notice period, we would be willing to discuss effective remedies for the violations noted in this letter that may avoid the necessity of litigation. If you wish to pursue such discussions, please have your attorney contact us within the next 20 days so that negotiations may be completed before the end of the 60-day notice period. We do not intend to delay the filing of a complaint in federal court if discussions are continuing when that period ends.

Sincerely,

Nora J. Chorover
Attorney for
CLEAN WATER ACTION

[8] "Minimize" means "reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practice." Id.

cc: (by certified mail)

Curt Spalding, Regional Administrator
EPA New England, Region 1,
5 Post Office Square, Ste. 100
Boston MA 02109
Certified Mail # 7011 1150 0000 0300 4384

Gina McCarthy, Administrator
US EPA Headquarters
Ariel Rios Building
1200 Pennsylvania Ave., N.W.
Washington, DC 20460
Certified Mail # 7011 1150 0000 0300 4391

Eric Holder, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Certified Mail # 7011 1150 0000 0300 4407

Kenneth L. Kimmell, Commissioner
Massachusetts Department of Environmental Protection
One Winter Street
Boston, MA 02108
Certified Mail # 7011 1150 0000 0300 4414

EXHIBIT A
KAZANJIAN USED AUTO PARTS INC. PERMIT VIOLATIONS

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
1	Failure to Monitor Benchmark	Total Recoverable Lead	June 30, 2009	The present
1	Failure to Report Benchmark	Total Recoverable Lead	July 30, 2009	The present
1	Failure to Monitor Benchmark	Total Recoverable Iron	June 30, 2009	The present
1	Failure to Report Benchmark	Total Recoverable Iron	July 30, 2009	The present
1	Failure to Monitor Benchmark	Total Recoverable Aluminum	June 30, 2009	The present
1	Failure to Report Benchmark	Total Recoverable Aluminum	July 30, 2009	The present
1	Failure to Monitor Benchmark	Total Suspended Solids	June 30, 2009	The present
1	Failure to Report Benchmark	Total Suspended Solids	July 30, 2009	The present
2	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2009	The present
2	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2009	The present
2	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2009	The present
2	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2009	The present
2	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2009	The present
2	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2009	The present
2	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2009	The present
2	Failure to Report Benchmark	Total Suspended Solids	October 30, 2009	The present
3	Failure to Monitor Benchmark	Total Recoverable Lead	December 31, 2009	The present
3	Failure to Report Benchmark	Total Recoverable Lead	January 30, 2010	The present
3	Failure to Monitor Benchmark	Total Recoverable Iron	December 31, 2009	The present
3	Failure to Report Benchmark	Total Recoverable Iron	January 30, 2010	The present
3	Failure to Monitor Benchmark	Total Recoverable Aluminum	December 31, 2009	The present
3	Failure to Report Benchmark	Total Recoverable Aluminum	January 30, 2010	The present
3	Failure to Monitor Benchmark	Total Suspended Solids	December 31, 2009	The present
3	Failure to Report Benchmark	Total Suspended Solids	January 30, 2010	The present
4	Failure to Monitor Benchmark	Total Recoverable Lead	March 31, 2010	The present
4	Failure to Report Benchmark	Total Recoverable Lead	April 30, 2010	The present
4	Failure to Monitor Benchmark	Total Recoverable Iron	March 31, 2010	The present

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
4	Failure to Report Benchmark	Total Recoverable Iron	April 30, 2010	The present
4	Failure to Monitor Benchmark	Total Recoverable Aluminum	March 31, 2010	The present
4	Failure to Report Benchmark	Total Recoverable Aluminum	April 30, 2010	The present
4	Failure to Monitor Benchmark	Total Suspended Solids	March 31, 2010	The present
4	Failure to Report Benchmark	Total Suspended Solids	April 30, 2010	The present
5	Failure to Monitor Benchmark	Total Recoverable Lead	June 30, 2010	The present
5	Failure to Report Benchmark	Total Recoverable Lead	July 30, 2010	The present
5	Failure to Monitor Benchmark	Total Recoverable Iron	June 30, 2010	The present
5	Failure to Report Benchmark	Total Recoverable Iron	July 30, 2010	The present
5	Failure to Monitor Benchmark	Total Recoverable Aluminum	June 30, 2010	The present
5	Failure to Report Benchmark	Total Recoverable Aluminum	July 30, 2010	The present
5	Failure to Monitor Benchmark	Total Suspended Solids	June 30, 2010	The present
5	Failure to Report Benchmark	Total Suspended Solids	July 30, 2010	The present
6	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2010	The present
6	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2010	The present
6	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2010	The present
6	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2010	The present
6	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2010	The present
6	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2010	The present
6	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2010	The present
6	Failure to Report Benchmark	Total Suspended Solids	October 30, 2010	The present
7	Failure to Monitor Benchmark	Total Recoverable Lead	December 31, 2010	The present
7	Failure to Report Benchmark	Total Recoverable Lead	January 30, 2011	The present
7	Failure to Monitor Benchmark	Total Recoverable Iron	December 31, 2010	The present
7	Failure to Report Benchmark	Total Recoverable Iron	January 30, 2011	The present
7	Failure to Monitor Benchmark	Total Recoverable Aluminum	December 31, 2010	The present
7	Failure to Report Benchmark	Total Recoverable Aluminum	January 30, 2011	The present
7	Failure to Monitor Benchmark	Total Suspended Solids	December 31, 2010	The present
7	Failure to Report Benchmark	Total Suspended Solids	January 30, 2011	The present
8	Failure to Monitor Benchmark	Total Recoverable Lead	March 31, 2011	The present
8	Failure to Report Benchmark	Total Recoverable Lead	April 30, 2011	The present

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
8	Failure to Monitor Benchmark	Total Recoverable Iron	March 31, 2011	The present
8	Failure to Report Benchmark	Total Recoverable Iron	April 30, 2011	The present
8	Failure to Monitor Benchmark	Total Recoverable Aluminum	March 31, 2011	The present
8	Failure to Report Benchmark	Total Recoverable Aluminum	April 30, 2011	The present
8	Failure to Monitor Benchmark	Total Suspended Solids	March 31, 2011	The present
8	Failure to Report Benchmark	Total Suspended Solids	April 30, 2011	The present
9	Failure to Monitor Benchmark	Total Recoverable Lead	June 30, 2011	The present
9	Failure to Report Benchmark	Total Recoverable Lead	July 30, 2011	The present
9	Failure to Monitor Benchmark	Total Recoverable Iron	June 30, 2011	The present
9	Failure to Report Benchmark	Total Recoverable Iron	July 30, 2011	The present
9	Failure to Monitor Benchmark	Total Recoverable Aluminum	June 30, 2011	The present
9	Failure to Report Benchmark	Total Recoverable Aluminum	July 30, 2011	The present
9	Failure to Monitor Benchmark	Total Suspended Solids	June 30, 2011	The present
9	Failure to Report Benchmark	Total Suspended Solids	July 30, 2011	The present
10	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2011	The present
10	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2011	The present
10	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2011	The present
10	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2011	The present
10	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2011	The present
10	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2011	The present
10	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2011	The present
10	Failure to Report Benchmark	Total Suspended Solids	October 30, 2011	The present
11	Failure to Monitor Benchmark	Total Recoverable Lead	December 31, 2011	The present
11	Failure to Report Benchmark	Total Recoverable Lead	January 30, 2012	The present
11	Failure to Monitor Benchmark	Total Recoverable Iron	December 31, 2011	The present
11	Failure to Report Benchmark	Total Recoverable Iron	January 30, 2012	The present
11	Failure to Monitor Benchmark	Total Recoverable Aluminum	December 31, 2011	The present
11	Failure to Report Benchmark	Total Recoverable Aluminum	January 30, 2012	The present
11	Failure to Monitor Benchmark	Total Suspended Solids	December 31, 2011	The present
11	Failure to Report Benchmark	Total Suspended Solids	January 30, 2012	The present
12	Failure to Monitor Benchmark	Total Recoverable Lead	March 31, 2012	The present

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
12	Failure to Report Benchmark	Total Recoverable Lead	April 30, 2012	The present
12	Failure to Monitor Benchmark	Total Recoverable Iron	March 31, 2012	The present
12	Failure to Report Benchmark	Total Recoverable Iron	April 30, 2012	The present
12	Failure to Monitor Benchmark	Total Recoverable Aluminum	March 31, 2012	The present
12	Failure to Report Benchmark	Total Recoverable Aluminum	April 30, 2012	The present
12	Failure to Monitor Benchmark	Total Suspended Solids	March 31, 2012	The present
12	Failure to Report Benchmark	Total Suspended Solids	April 30, 2012	The present
13	Failure to Monitor Benchmark	Total Recoverable Lead	June 30, 2012	The present
13	Failure to Report Benchmark	Total Recoverable Lead	July 30, 2012	The present
13	Failure to Monitor Benchmark	Total Recoverable Iron	June 30, 2012	The present
13	Failure to Report Benchmark	Total Recoverable Iron	July 30, 2012	The present
13	Failure to Monitor Benchmark	Total Recoverable Aluminum	June 30, 2012	The present
13	Failure to Report Benchmark	Total Recoverable Aluminum	July 30, 2012	The present
13	Failure to Monitor Benchmark	Total Suspended Solids	June 30, 2012	The present
13	Failure to Report Benchmark	Total Suspended Solids	July 30, 2012	The present
14	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2012	The present
14	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2012	The present
14	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2012	The present
14	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2012	The present
14	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2012	The present
14	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2012	The present
14	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2012	The present
14	Failure to Report Benchmark	Total Suspended Solids	October 30, 2012	The present
15	Failure to Monitor Benchmark	Total Recoverable Lead	December 31, 2012	The present
15	Failure to Report Benchmark	Total Recoverable Lead	January 30, 2013	The present
15	Failure to Monitor Benchmark	Total Recoverable Iron	December 31, 2012	The present
15	Failure to Report Benchmark	Total Recoverable Iron	January 30, 2013	The present
15	Failure to Monitor Benchmark	Total Recoverable Aluminum	December 31, 2012	The present
15	Failure to Report Benchmark	Total Recoverable Aluminum	January 30, 2013	The present
15	Failure to Monitor Benchmark	Total Suspended Solids	December 31, 2012	The present
15	Failure to Report Benchmark	Total Suspended Solids	January 30, 2013	The present

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
16	Failure to Monitor Benchmark	Total Recoverable Lead	June 30, 2013	The present
16	Failure to Report Benchmark	Total Recoverable Lead	July 30, 2013	The present
16	Failure to Monitor Benchmark	Total Recoverable Iron	June 30, 2013	The present
16	Failure to Report Benchmark	Total Recoverable Iron	July 30, 2013	The present
16	Failure to Monitor Benchmark	Total Recoverable Aluminum	June 30, 2013	The present
16	Failure to Report Benchmark	Total Recoverable Aluminum	July 30, 2013	The present
16	Failure to Monitor Benchmark	Total Suspended Solids	June 30, 2013	The present
16	Failure to Report Benchmark	Total Suspended Solids	July 30, 2013	The present
17	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2013	The present
17	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2013	The present
17	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2013	The present
17	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2013	The present
17	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2013	The present
17	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2013	The present
17	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2013	The present
17	Failure to Report Benchmark	Total Suspended Solids	October 30, 2013	The present
18	Failure to Monitor Benchmark	Total Recoverable Lead	September 30, 2013	The present
18	Failure to Report Benchmark	Total Recoverable Lead	October 30, 2013	The present
18	Failure to Monitor Benchmark	Total Recoverable Iron	September 30, 2013	The present
18	Failure to Report Benchmark	Total Recoverable Iron	October 30, 2013	The present
18	Failure to Monitor Benchmark	Total Recoverable Aluminum	September 30, 2013	The present
18	Failure to Report Benchmark	Total Recoverable Aluminum	October 30, 2013	The present
18	Failure to Monitor Benchmark	Total Suspended Solids	September 30, 2013	The present
18	Failure to Report Benchmark	Total Suspended Solids	October 30, 2013	The present
Permit Year 1	Failure to Conduct and Document Required Inspections		September 29, 2009	The present
Permit Year 1	Failure to Submit Annual Report		November 13, 2009	The present
Permit Year 2	Failure to Conduct and Document Required Inspections		September 29, 2010	The present

Quarter	Type of Violation	Parameter	Beginning Date of Violation	Earliest End Date of Violation
Permit Year 2	Failure to Submit Annual Report		November 13, 2010	The present
Permit Year 3	Failure to Conduct and Document Required Inspections		September 29, 2011	The present
Permit Year 3	Failure to Submit Annual Report		November 13, 2011	The present
Permit Year 4	Failure to Conduct and Document Required Inspections		September 29, 2012	The present
Permit Year 4	Failure to Submit Annual Report		November 13, 2012	The present
Permit Year 5	Failure to Conduct and Document Required Inspections		September 29, 2013	The present
Permit Year 5	Failure to Submit Annual Report		November 13, 2013	The present
	Failure to Ensure that Control Measures Minimize Pollutant Discharges		January 29, 2009	The present
	Failure to Monitor Impairment Pollutants		February 28, 2010	The present

EXHIBIT B

DAYS BETWEEN
JANUARY 29, 2009 AND JANUARY 6, 2014
ON WHICH STORMWATER FROM FACILITY
DISCHARGED TO WATERS OF THE UNITED STATES

January 2009:	29
February 2009:	4, 12, 19, 20, 23
March 2009:	2, 3, 10, 11, 12, 20, 27, 30, 31
April 2009:	2, 4, 7, 11, 12, 21, 22, 23
May 2009:	6, 7, 8, 10, 15, 16, 17, 18, 27, 28, 30
June 2009:	1, 10, 11, 12, 13, 14, 15, 19, 22, 23, 24, 25, 26, 29, 30
July 2009:	2, 3, 4, 8, 9, 12, 18, 22, 24, 25, 27, 31
August 2009:	1, 14, 21, 23, 24, 29, 30
September 2009:	12, 13, 27, 28, 29
October 2009:	4, 7, 8, 10, 14, 19, 24, 25, 28, 29
November 2009:	15, 16, 20, 21, 24, 26, 28
December 2009:	1, 3, 4, 9, 10, 14, 21, 27, 28
January 2010:	1, 2, 3, 18, 19, 20, 26
February 2010:	17, 24, 25, 26, 27
March 2010:	1, 12, 14, 15, 16, 23, 24, 26, 27, 29, 30, 31
April 2010:	1, 10, 16, 17, 18, 19, 27, 28, 29
May 2010:	5, 8, 9, 19, 20, 27
June 2010:	2, 7, 10, 11, 13, 23, 25
July 2010:	11, 14, 15, 17, 24
August 2010:	6, 9, 10, 11, 23, 24, 25, 26
September 2010:	9, 14, 17, 27, 28, 29
October 2010:	1, 2, 4, 5, 6, 7, 8, 12, 15, 16, 22, 25, 26, 28
November 2010:	5, 6, 8, 9, 10, 17, 18, 26, 27
December 2010:	1, 2, 13, 23, 27, 28
January 2011:	12, 13, 19, 20, 21, 22, 27, 28
February 2011:	2, 3, 6, 8, 9, 21, 22, 25, 26, 27, 28
March 2011:	1, 7, 11, 12, 17, 22
April 2011:	1, 2, 5, 6, 11, 13, 14, 17, 20, 24, 27, 29
May 2011:	5, 6, 8, 15, 16, 17, 18, 19, 20, 24, 25
June 2011:	2, 10, 12, 13, 14, 23, 24, 25, 26, 29
July 2011:	5, 7, 9, 14, 19, 26, 27
August 2011:	3, 5, 7, 8, 10, 15, 16, 22, 26, 28, 29
September 2011:	6, 7, 8, 9, 16, 21, 22, 23, 24, 29, 30
October 2011:	2, 3, 4, 5, 13, 14, 15, 17, 20, 21, 27, 28, 30
November 2011:	11, 17, 24, 30
December 2011:	8, 16, 22, 23, 28
January 2012:	2, 12, 17, 18, 20, 22, 24, 27, 28

February 2012:	17, 25
March 2012:	1, 2, 3, 14, 26, 29
April 2012:	2, 13, 23, 24
May 2012:	1, 2, 3, 4, 5, 8, 9, 10, 11, 15, 16, 17, 22, 23, 24, 30
June 2012:	3, 4, 5, 6, 7, 9, 13, 14, 24, 26, 28
July 2012:	4, 5, 19, 24, 25, 29, 30
August 2012:	1, 2, 5, 6, 11, 12, 13, 16, 17, 18, 19, 29
September 2012:	5, 6, 9, 19, 27, 28, 29
October 2012:	1, 3, 4, 5, 8, 10, 11, 15, 16, 20, 29, 30, 31
November 2012:	1, 8, 9, 14, 28
December 2012:	3, 9, 10, 11, 17, 18, 19, 21, 22, 27, 28, 30
January 2013:	10, 12, 16, 17, 22, 29, 31
February 2013:	1, 9, 10, 12, 18, 20, 27, 28
March 2013:	7, 8, 9, 13, 19, 20
April 2013:	1, 10, 11, 12, 13, 20, 24
May 2013:	9, 10, 12, 13, 20, 22, 23, 24, 25, 26, 29, 30
June 2013:	3, 4, 8, 11, 12, 14, 18, 19, 25, 26, 27, 28
July 2013:	2, 9, 11, 12, 24, 26, 27, 29, 30
August 2013:	2, 10, 14, 27, 31
September 2013:	3, 11, 13, 14, 22
October 2013:	5, 7, 8, 18, 31
November 2013:	1, 8, 12, 13, 18, 19, 27, 28
December 2013:	2, 7, 9, 10, 11, 15, 18, 24, 27, 30
January 2014:	3, 6